



08-04-08

RCE

PTO/SB/30 (01-08)  
Approved for use through 05/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# Request For Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                        |
|------------------------|------------------------|
| Application Number     | 10/668,708             |
| Filing Date            | September 23, 2003     |
| First Named Inventor   | John F. Austermann III |
| Art Unit               | 2616                   |
| Examiner Name          | HYUN, Soon D.          |
| Attorney Docket Number | 9919-000002/COC        |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.

Submission required under 37 C.F.R. 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.

☐ Other \_\_\_\_\_

b.

☒ Enclosed

i.

☒ Amendment/Reply

ii.

☐ Affidavit(s)/Declaration(s)

iii.

☒ Information Disclosure Statement (IDS)

iv.

☐ Other \_\_\_\_\_

2.

Miscellaneous

a.

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b.

☐ Other \_\_\_\_\_

3.

Fees

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a.

☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.08-0750

i.

☒ RCE fee required under 37 C.F.R. 1.17(e)

ii.

☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii.

☒ Other extra claim fees

b.

☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c.

☐ Payment by credit card (Form PTO-2038 enclosed)

08/05/2008 EFLORES 00000060 080750 10068708

01 FC:1801 810.00 DA

02 FC:1201 210.00 DA

03 FC:1202 24800.00 DA

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                     |                                   |                |
|---|---------------------|-----------------------------------|----------------|
| Signature   |                     | Date                              | August 1, 2008 |
| Name (Print /Type)                                  | G. Gregory Schivley | Registration No. (Attorney/Agent) | 27,382         |

| CERTIFICATE OF MAILING OR TRANSMISSION  |                     |      |                |
|---|---------------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below: |                     |      |                |
| Signature   |                     | Date | August 1, 2008 |
| Name (Print /Type)  | G. Gregory Schivley |      |                |

This collection of information is required by 37 C.F.R. 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EM 184 988 385 US

# FEE TRANSMITTAL for FY 2008

Effective 2/8/2006. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 26190

## Complete if Known

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/668,708             |
| Filing Date          | September 23, 2003     |
| First Named Inventor | John F. Austermann III |
| Examiner Name        | HYUN, Soon D.          |
| Art Unit             | 2616                   |
| Attorney Docket No.  | 9919-000002/COC        |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness Dickey &amp; Pierce, PLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1011         | 310      | 2011         | 155      | Utility filing fee     |          |
| 1012         | 210      | 2012         | 105      | Design filing fee      |          |
| 1013         | 210      | 2013         | 105      | Plant filing fee       |          |
| 1014         | 310      | 2014         | 155      | Reissue filing fee     |          |
| 1005         | 210      | 2005         | 105      | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$ 0    |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |     |        |   |     |   |     |   |       |
|--------------------|-----|--------|---|-----|---|-----|---|-------|
| Total Claims       | 516 | -20 ** | = | 496 | X | 50  | = | 24800 |
| Independent Claims | 4   | -3 **  | = | 1   | X | 210 | = | 210   |
| Multiple Dependent | X   |        |   | 370 | = | 370 |   |       |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 50       | 2202         | 25       | Claims in excess of 20                                     |
| 1201         | 210      | 2201         | 105      | Independent claims in excess of 3                          |
| 1203         | 370      | 2203         | 185      | Multiple dependent claim, if not paid                      |
| 1204         | 210      | 2204         | 105      | ** Reissue independent claims over original patent         |
| 1205         | 50       | 2205         | 25       | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 25380

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 120      | 2251         | 60       | Extension for reply within first month                                     |          |
| 1252         | 460      | 2252         | 230      | Extension for reply within second month                                    |          |
| 1253         | 1,050    | 2253         | 525      | Extension for reply within third month                                     |          |
| 1254         | 1,640    | 2254         | 820      | Extension for reply within fourth month                                    |          |
| 1255         | 2,230    | 2255         | 1,115    | Extension for reply within fifth month                                     |          |
| 1401         | 510      | 2401         | 255      | Notice of Appeal   |          |
| 1402         | 510      | 2402         | 255      | Filing a brief in support of an appeal                                     |          |
| 1403         | 1,030    | 2403         | 515      | Request for oral hearing   |          |
| 1452         | 510      | 2452         | 255      | Petition to revive - unavoidable   |          |
| 1453         | 1,540    | 2453         | 770      | Petition to revive - unintentional   |          |
| 1462         | 400      | 1462         | 400      | Petition fee under 37 CFR 1.17(f)  |          |
| 1463         | 200      | 1463         | 200      | Petition fee under 37 CFR 1.17(g)  |          |
| 1464         | 130      | 1464         | 130      | Petition fee under 37 CFR 1.17(h)  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 810      | 2809         | 405      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 810      | 2810         | 405      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 810      | 2801         | 405      | Request for Continued Examination (RCE)                                    | 810      |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 810

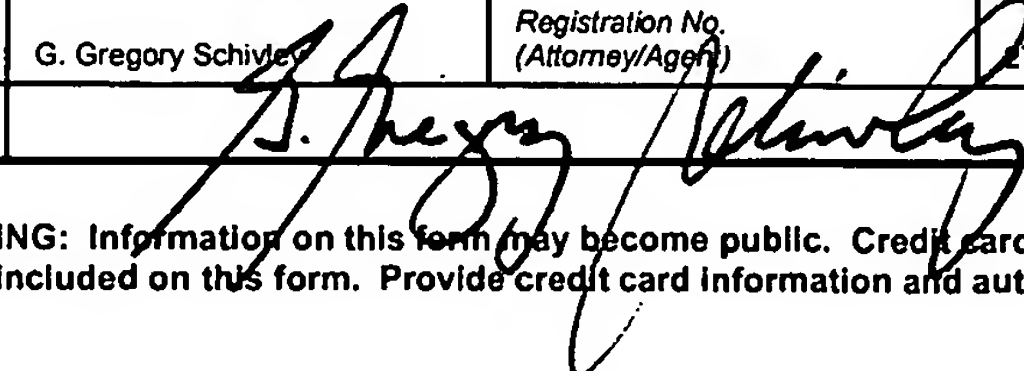
## 4. SEARCH/EXAMINATION FEES

|      |     |      |     |                         |  |
|------|-----|------|-----|-------------------------|--|
| 1111 | 510 | 2111 | 255 | Utility Search Fee      |  |
| 1112 | 100 | 2112 | 50  | Design Search Fee       |  |
| 1113 | 310 | 2113 | 155 | Plant Search Fee        |  |
| 1114 | 510 | 2114 | 255 | Reissue Search Fee      |  |
| 1311 | 210 | 2311 | 105 | Utility Examination Fee |  |
| 1312 | 130 | 2312 | 65  | Design Examination Fee  |  |
| 1313 | 160 | 2313 | 80  | Plant Examination Fee   |  |
| 1314 | 620 | 2314 | 310 | Reissue Examination Fee |  |

SUBTOTAL (4) (\$ 0

## SUBMITTED BY

Complete (if applicable)

|                   |  |                                   |        |           |                |
|-------------------|--|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | G. Gregory Schivley  | Registration No. (Attorney/Agent) | 27,382 | Telephone | 248 641 1600   |
| Signature         |  |                                   |        | Date      | August 1, 2008 |

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**FEE TRANSMITTAL  
for FY 2008**

Effective 2/8/2006. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 26190**Complete if Known**

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/668,708             |
| Filing Date          | September 23, 2003     |
| First Named Inventor | John F. Austermann III |
| Examiner Name        | HYUN, Soon D.          |
| Art Unit             | 2616                   |
| Attorney Docket No.  | 9919-000002/COC        |

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order
☒ Deposit Account:Deposit  
Account  
Number

08-0750

Deposit  
Account  
Name

Harness Dickey &amp; Pierce, PLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity        |          | Small Entity |          | Fee Description        | Fee Paid      |
|---------------------|----------|--------------|----------|------------------------|---------------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                        |               |
| 1011                | 310      | 2011         | 155      | Utility filing fee     |               |
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| 1013                | 210      | 2013         | 105      | Plant filing fee       |               |
| 1014                | 310      | 2014         | 155      | Reissue filing fee     |               |
| 1005                | 210      | 2005         | 105      | Provisional filing fee |               |
| <b>SUBTOTAL (1)</b> |          |              |          |                        | <b>(\$ 0)</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       | Extra Claims | Fee from below | Fee Paid    |
|--------------------|--------------|----------------|-------------|
| 516                | -20 ** = 496 | X 50 =         | 24800       |
| Independent Claims | 4            | -3 ** = 1      | X 210 = 210 |
| Multiple Dependent | X            | 370            | = 370       |

| Large Entity |          | Small Entity |          | Fee Description  |
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**SUBTOTAL (2)** (\$ 25380)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
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| 1251     | 120      | 2251     | 60       | Extension for reply within first month                                     |          |
| 1252     | 460      | 2252     | 230      | Extension for reply within second month                                    |          |
| 1253     | 1,050    | 2253     | 525      | Extension for reply within third month                                     |          |
| 1254     | 1,640    | 2254     | 820      | Extension for reply within fourth month                                    |          |
| 1255     | 2,230    | 2255     | 1,115    | Extension for reply within fifth month                                     |          |
| 1401     | 510      | 2401     | 255      | Notice of Appeal   |          |
| 1402     | 510      | 2402     | 255      | Filing a brief in support of an appeal                                     |          |
| 1403     | 1,030    | 2403     | 515      | Request for oral hearing   |          |
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| 1453     | 1,540    | 2453     | 770      | Petition to revive - unintentional   |          |
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| 1464     | 130      | 1464     | 130      | Petition fee under 37 CFR 1.17(h)  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent-assignment per property (times number of properties) |          |
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| 1810     | 810      | 2810     | 405      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801     | 810      | 2801     | 405      | Request for Continued Examination (RCE)                                    | 810      |

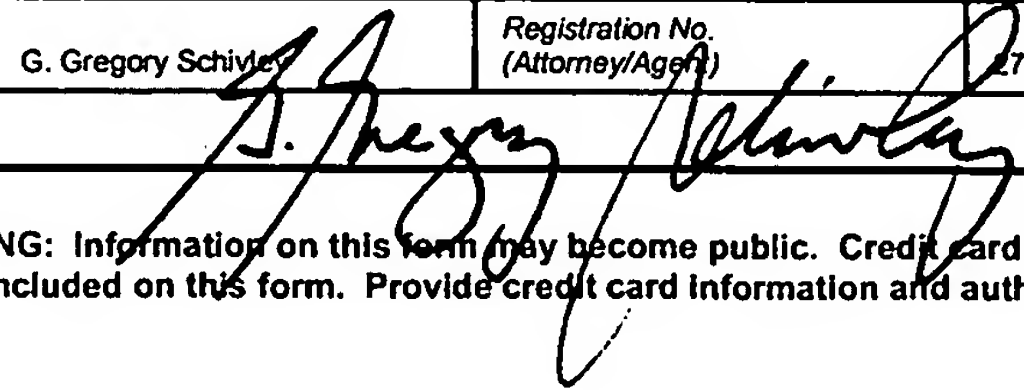
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$ 810)**4. SEARCH/EXAMINATION FEES**

| Large Entity | Small Entity | Fee Description         |
|--------------|--------------|-------------------------|
| 1111         | 2111         | Utility Search Fee      |
| 1112         | 2112         | Design Search Fee       |
| 1113         | 2113         | Plant Search Fee        |
| 1114         | 2114         | Reissue Search Fee      |
| 1311         | 2311         | Utility Examination Fee |
| 1312         | 2312         | Design Examination Fee  |
| 1313         | 2313         | Plant Examination Fee   |
| 1314         | 2314         | Reissue Examination Fee |

**SUBTOTAL (4)** (\$ 0)**SUBMITTED BY**

Complete (if applicable)

|                   |  |                                   |        |           |                |
|-------------------|--|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | G. Gregory Schivley  | Registration No. (Attorney/Agent) | 27,382 | Telephone | 248 641 1600   |
| Signature         |  |                                   |        | Date      | August 1, 2008 |

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